

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

DAVID J. SAFRAN

V.

CASE NUMBER: 5:06-CV-599(NPM/GHL)

JOSEPH SAPIO, Attorney at Law

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED, that judgment be entered in favor of DEFENDANT against PLAINTIFF, dismissing the complaint pursuant to 28 U.S.C. §1915(e)(2)(B) for failure to state a claim upon which relief may be granted as set forth in the Decision and Order of the Hon. Neal P. McCurn filed on August 1, 2006.

DATED: August 2, 2006


Clerk of Court

LKB:Imp